

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 6 and 7 have been amended without narrowing the claim scope to change the recitation of “the hematocrit value” to --a hematocrit value—and to change the recitation of “the first round of blood collection” to -- a first round of blood collection--.

By way of this Amendment, new Claims 12-17 have been added. Thus, the claims currently pending in this application are Claims 1-17, with Claims 1, 10 and 12 being the only independent claims.

Independent Claims 1 and 10 are directed to a platelet collecting apparatus. Claims 1 and 10 define that the platelet collecting apparatus comprises a centrifugal separator, a first line permitting blood flow to the centrifugal separator, a second line allowing blood flow from the separator, a plasma collecting bag connected to the first and second lines to collect plasma emanating from the separator and to return collected plasma to the separator, and a platelet collecting bag connected to the second line to collect platelets emanating from the separator. A blood delivering pump is disposed in the first line, and a controller controls operation of the centrifugal separator rotor and the blood delivery pump.

The Official Action sets forth a rejection of original independent Claims 1 and 10 based on the disclosure contained in U.S. Patent No. 6,497,674 to *Steele et al.* This document discloses an extracorporeal blood processing apparatus used to collect blood components. The discussion in column 37 of *Steele et al.* which is

referenced in the Official Action describes the operation of the disclosed apparatus in the context of achieving a certain packing factor. *Steele et al.* states that a packing factor between about 11 and 15 is preferable, and goes on to note that the rotational velocity of the housing 204 can be adjusted based upon the inlet flow to the blood processing vessel 352 to maintain the desired packing factor. More specifically, *Steele et al.* describes that the normal operating speed for the housing 204 can be reduced to "match" the inlet flow to the blood processing vessel 352 for purposes of maintaining the desired packing factor and that the rotational speed of the housing 204 can be increased to "match" increased inlet flow to the blood processing vessel 352 to once again maintain the desired packing factor.

One difference between the platelet collecting apparatus of the present invention and the disclosure contained in *Steele et al.* is that here, the controller increases the rotational frequency of the rotor of the separator in conformity with an increase in the volume of erythrocytes in the centrifugal separation during blood collection. Independent Claim 1 has been amended to set forth this aspect of the platelet collecting apparatus. *Steele et al.* does not disclose that the controller increases the rotational frequency of the centrifugal separator rotor in conformity with the increase in the volume of erythrocytes in the separator during blood collection.

Another difference between the platelet collecting apparatus at issue here and the disclosure contained in *Steele et al.* is that the controller forming a part of the platelet collecting apparatus here increases the flow rate of circulation by the blood delivery pump to cause plasma collected in the plasma collecting bag to be circulated with acceleration between the plasma collecting bag and the centrifugal separator, and also increases the rotational frequency of the rotor in conformity with

the increase in the flow rate of circulation produced by the blood delivering pump. Independent Claim 10 has been amended to recite these aspects of the platelet collecting apparatus. Such aspects are not disclosed in *Steele et al.* together with the other claimed features set forth in Claim 10.

In light of the foregoing, it is respectfully submitted that the claimed platelet collecting apparatus recited in independent Claims 1 and 10, and the various dependent claims, is patentably distinguishable over the disclosure contained in *Steele et al.*

New Claims 12-17 are directed to a method for collecting blood platelets through use of a platelet collecting apparatus. Independent Claim 12 defines the method at issue here in terms distinguishing over the disclosure contained in *Steele et al.*

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful

in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 17, 2004

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620